

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1-11 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

The title of the invention was objected to for not being descriptive. In response, Applicants have replaced the title with a new title that is clearly indicative of the invention to which the claims are directed.

Regarding the Examiner's assertion that the term "voice" recognition should be changed to "speech" recognition in view of the terminology used in the Edatsune reference, Applicants respectfully disagree for the following reasons. The term "voice" as used in the present invention is intended to include more than just "speech." Specifically, as discussed on pages 23-25 of the specification and shown in Figure 8, the term "voice" recognition may include identification of the individual speaker (e.g. the robot could recognize the distinctive voice patterns of its owner), recognizing meanings based on intonation and pitch, and sounds other than words (e.g. the robot may be a dog whose voice response is a bark). Also, note the term

“speech” is used, when appropriate, throughout the specification to indicate a narrower form of recognition. Further, an applicant may be his own lexicographer as long as the chosen words are not repugnant to the commonly accepted usage. In the instant case, Applicants believe the use of “voice” recognition is correct, and this objection should be withdrawn.

Claims 1-11 were objected to because of various informalities. In response, Applicants have amended “an voice” to —a voice— throughout the claims in accordance with the Examiner’s comment. As discussed above, Applicants believe the term “voice” is appropriate and believe this objection should be withdrawn.

Claims 1-2, 7, and 10-11 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2 and 10-11 of co-pending U.S. Patent application 09/723,512. As noted by the Examiner, a timely filed terminal disclaimer may be used to overcome the provisional double patenting rejections provided the conflicting application for patent is shown to be commonly owned with the present application. The conflicting application is commonly owned with the present application. However, it is not clear whether following prosecution the allowable claims from the present application will be obvious in view of the allowable claims in co-pending U.S. Patent application 09/723,512. Hence, Applicants agree to file a terminal disclaimer if the allowable claims in the application are found to be obvious at the time of issuance of U.S. Patent application 09/723,512.

Claims 1-3 and 7-10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Edatsune et al. (U.S. Patent 5,802,488). However, the present invention processes a voice input

“based on a state of said robot; wherein the state is determined by an action, an emotion state, and an instinct state of the robot.” (Claims 1, 10, and 11) The “emotion and instinct states correspond to values of an emotion model and an instinct model, respectively.” (Claim 2) The use of action information, emotions and instincts is shown by Figure 8, and in more detail in Figures 4 and 5. By contrast, to perform speech recognition, Edatsune uses coefficient tables which are based on time of day (Figure 1B) and time since some event (Figure 3B). Edatsune does not disclose the use of either emotion or instinct in interpreting and responding to a voice input. Accordingly, for at least this reasons, Edatsune fails to anticipate the present invention and the rejected claims should now be allowed.

Moreover, although the Sadakuni reference (relied on in co-pending U.S. Patent application 09/723,512) discloses an emotion generating unit 3, Figure 1 shows that the generated emotions are not used by the recognition unit 2. Accordingly, Applicants believe Sadakuni cannot be combined with the Edatsune reference to meet the present invention’s emotion model used in the voice processing operation.

Claims 4-6 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Edatsune in view of Henton (U.S. Patent 5,860,064) However, the Examiner relies on Henton solely to meet the present invention’s phonemics and pitch limitations. Accordingly, for the previously discussed reasons, the combination of Edatsune and Henton fails to obviate the present invention and the rejected claims should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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